GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

MINES & MINERALS – Extension of Mining Lease for a period up to 17.11.2031 held by M/s.India Cements Ltd., for Limestone & Clay over an extent of 1,487.28 Acs in Sy.Nos.1117, 1225, 1300 etc., of Chilamakur (V), Yerraguntla (M), YSR Kadapa District under Section 8-A (3) MM (D&R) Amendment Act, 2015 - Orders – Issued.

INDUSTRIES & COMMERCE (M.III) DEPARTMENT

G.O.MS.No. 61 Dated: 26-04-2018

Read the following:

1. G.O.Ms.No.326, Ind & Com (M.III) Dept, dt.22.05.1981.
2. G.O.Ms.No.482, Ind & Com (M.III) Dept, dt.06.12.1990.
3. G.O.Ms.No.539, Ind & Com (M.III) Dept, dt.28.10.2001.
4. Orders, dt.14.06.2010 of Hon'ble High Court in WPMP No.19044/2007 & WVMPNo.2750/2007 of WP No.15118/2007.
5. MM (D&R) Amendment Act, 2015, dt.12.01.2015 issued by the Ministry of Law & Justice (Legislative Dept), GoI, New Delhi.
6. Affidavit dt.02.12.2017 of M/s.India Cements Ltd.
7. From the DM&G, A.P., Vijayawada Single File No.14593/R5-2/2017, dt.22.02.2018.

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O R D E R:

In the reference 1st read above, a Mining lease was granted in favour of M/s.Coromandal Fertilizers Ltd., for Limestone & Clay over an extent of 1,487.28 Acs in Sy.Nos.1117, 1225, 1300 etc., of Chilamakur (V), Yerraguntla (M), YSR Kadapa District for a period of (20) years.

2. In the reference 2nd read above, permission was accorded transferring the above Mining Lease in favour of M/s.India Cements Ltd., and the lease deed was executed on 28.01.1991 for the remaining period up to 20.11.2001.

3. In the reference 3rd read above, orders were issued granting the 1st Renewal of Mining Lease in favour of M/s.India Cements Ltd., for a period of (20) years and the lease deed was executed on 28.03.2002.

4. In the reference 4th read above, the Hon'ble High Court in WPMP No.19044/2007 & WVMPNo.2750/2007 of WP No.15118/2007 filed by M/s.India Cements Ltd., while disposing off the WPMP has ordered that "though the WPMP was filed in Sep, 2007, no order has been passed till now. In the light of the plea of the petitioner that there is no provision for revising the assessment and that no prior notice was given to the petitioner before revising the assessment and in view of the subsistence of interim order for substantial period, find balance of convenience in favour of the petitioner for continuing the interim order, pending the W.P."

5. In the reference 7th read above, the Director of Mines & Geology, A.P., Vijayawada has submitted that the lessee Company is obtaining the permits regularly. On issue of a demand notice, dt.26.06.2007 by the DDM&G, Kadapa to the Company for an amount of Rs.2,81,32,216/-, the Company has filed W.P.No.15118/2007 against the demand notice and the Hon'ble High Court has stayed the demand notice and a further notice was also issued for Rs.34,14,227/- on detection of Bauxite & Iron Ore by the RV&EO, Kadapa. However, the ADM&G, Kadapa has recommended to consider the extension of lease period for (50) years held by M/s.India Cements Ltd., over the subject area. The lessee company vide their affidavit dt.02.12.2017 has submitted an undertaking assuring that they will abide to final decision of the Authorities/Courts in the matter which are under litigation. The Director of Mines & Geology, A.P., Vijayawada has therefore requested the Government to consider the extension of M.L. for a period of (50) years up to 17.11.2031 in favour of the lessee Company over the subject area U/s 8-A (3) of MM (D&R) Amendment Act, 2015 with a condition to the lessee to abide the final orders of Hon'ble High Court in W.P.No.15118/2007.

6. Government, after careful examination of the issue, hereby extend the Mining Lease for a period up to 17.11.2031 held by M/s.India Cements Ltd., for Limestone & Clay over an extent of 1,487.28 Acs in Sy.Nos.1117, 1225, 1300 etc., of Chilamakur (V), Yerraguntla (M), YSR Kadapa District as per under Sec 8-A (3) of MM (D&R) Amendment Act, 2015 subject to condition that the lessee Company shall abide to the final orders of Hon'ble High court and subject to submission of MRCC, DGPS survey report and also subject to satisfaction of other rules, regulations & instructions of the Director of Mines & Geology and Government from time to time.

(P.T.O.)

7. The Director of Mines & Geology, A.P., Vijayawada shall take necessary further action for the execution of Lease deed after satisfying himself that the grantee fulfills all the required provisions of the amended Act & Rules. As soon as the Lease deed is executed, the date of such execution should be reported to the Government.

Note: the grant is liable to cancellation, should it be found at later date that it was grossly inequitable or was made under a mistake of fact or owing to misrepresentation or fraud in excess of authority.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B.SREEDHAR
SECRETARY TO GOVERNMENT (MINES)

To,
M/s.India Cements Limited,
Corporate Office: Coromandal Towers,
93, Santhome High Road, Karpagam Avenue,
R.A.Puram, Chennai – 600 028.
The Director of Mines & Geology, A.P., Vijayawada. (with file)

Copy to:

The Deputy Director of Mines & Geology, Kadapa.
The Assistant Director of Mines & Geology, Kadapa.
The District Collector, YSR Kadapa District.
The Secretary to Government of India, Ministry of Mines, Sastry Bhavan, New Delhi – 110 001.
The Controller General, Indian Bureau of Mines, Indira Bhavan, Civil Lines, Nagpur – 440 001.
The Director General of Mines Safety, Dhanbad, Bihar.
The Regional Controller of Mines, Indian Bureau of Mines, Room No.603, 6th Floor, CGO Towers, Kavadiguda, Secunderabad – 500 080.
SF/SC.

//FORWARDED:: BY ORDER//

SECTION OFFICER